

NZCCSS Guide to Government

Makeup of Government



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Constitutional Monarchy

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Legislative Branch

The Legislature/Parliament is made up of:

- The sovereign/ Governor-General
- House of Representatives: Elected Members of Parliament (MPs)
 - Serve a maximum of a 3 year term and are elected through the MMP system
- Select Committees

Executive Branch

The Executive/Government is made up of:

- Prime Minister
- Ministers
 - All Ministers are members of the executive council
 - Both Ministers in cabinet and those not in cabinet are included in the executive
- Cabinet committees

Judicial Branch

The Judiciary is made up of:

- Judges
- Judicial Officers
 - Appointed by the Governor-General (who is part of the Legislature) based on recommendation by the Attorney-General (who is part of the Executive)

The Legislative Branch

The Sovereign/Governor-General

The Sovereign or Governor-General is Aotearoa's Head of State. For 70 years this role was held by Queen Elizabeth II. However, since her death in 2022 this role has been held by King Charles III. The Governor-General is appointed by the Sovereign on the advice of the Government and represents them in New Zealand.

Appointment of a new Governor-General is one of the most important constitutional events in New Zealand. Each Governor-General generally serves a 5 year term by convention, although this is up to the discretion of the Sovereign. This means the next Governor-General will likely be sworn in in 2026.

The Governor-General's role includes:

- Summoning (opening), interrupting and dissolving (closing) Parliament
- Assenting Bills: assenting refers to the final step of the passage of a Bill, essentially resulting in it becoming law (becoming an Act)
- Officially appointing Ministers under advisement of the Prime Minister
- Officially appointing judges under advisement of the Attorney-General, as well as other senior officials and members of statutory boards
- Presiding over Executive Council meetings

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House of Representatives

Aotearoa has one chamber of Parliament known as the House of Representatives (the House). The House is made up of roughly 120 Members of Parliament (MPs).

Member's of Parliament (MPs):

New Zealand is a representative democracy meaning that each person who votes in a general election has a say in who represents them in Parliament (and in local Government). MPs are voted into the Government by the public once every 3 years under the Mixed Member Proportional (MMP) system. This system ensures that the number of vote a particular political party gets is reflected in the number of seats they get in the House. MPs are voted in to represent the values of the people who have voted for them, so it is their responsibility to give those people a voice and ensure they work to hold the Government accountable for their policies, actions and spending.

The House of Representatives role includes:

- Make new laws and update existing laws; debate Bills or amendments to existing Acts
- Examine and approve government taxes and proposed spending
- Hold the Government accountable for policies, actions and spending
- During question time MPs have the opportunity to ask ministers questions
- Each question time usually includes 12 oral questions
- In addition to oral questions, MPs can ask ministers an unlimited number of 'questions for written answer'

Select Committees

Select committees are made up of 4-13 MPs from any of the political parties which are part of the House, with each generally having proportional representation. Select committees are part of the scrutiny process for the Government and consider proposed laws (Bills), Government spending, petitions and international treaties. The size of each committee is decided by the Business Committee who are also responsible for appointing members and filling any committee vacancies.

There are currently 13 subject committees and 7 specialist committees (in 2024). This website also allows you to view the members of the select committee and the schedule of meetings, although this schedule can change at short notice.

The Executive Branch

The Executive Branch is the e Government of the day. It is the Governments responsibility to run the country and make all day-to-day decisions on how and what New Zealand should spend money on.

The Executives role includes:

- Develops Policy - creates ideas for new laws or changes to existing laws
- Drafts Government Bills - drafts the Bills to enact policy change once the proposal has been developed and submits these to Parliament for consideration
- Publishes new laws
- Administers legislation - ensuring everything in statutes of Acts is completed

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Executive Council

The Executive Council includes all Ministers, both inside and outside of Cabinet. All members of the Council must be MPs (a requirement of the Constitution Act 1986). Once an MP has been appointed to the Executive Council they are a Minister and are allocated with their Ministerial portfolio/s.

In the 54th Government there are currently 78 Ministerial Portfolios and 22 Associate Portfolios. These are held by the 28 Ministers who make up the Council.

The Council is presided over by the Governor-General, but they are not actually a member of the Council.

The Executive Councils main role is to advise the Governor-General to make orders in Council. This is the main method, apart from Acts of Parliament, by which the Government implements decisions. This advice is given at meetings which occur most Mondays. These meetings also allow the Council to advise the Governor-General on any relevant political and constitutional matters that have occurred since the previous meeting.

The Clerk of the Executive Council (also the Secretary of the Cabinet) is responsible to both the Governor-General and Prime Minister for providing necessary advice to the Council.

Cabinet

As well as being a member of the Council, Ministers (usually more senior Ministers) can also be part of Cabinet. Cabinet is the decision-making collective of Executive Government.

Cabinet meetings occur most Mondays and are chaired by the Prime Minister or Deputy Prime Minister (if the Prime Minister is not available). These meetings are separate from those of the Council.

There is no legal requirement for a New Zealand Government to have a Cabinet, but it is a convention. Cabinets used to be small, in the 1890s there were only 7 Ministers in Cabinet. However, they have grown over time, with 20 Ministers in Cabinet under the 54th Government, including Ministers from each of the Coalition parties.

Cabinets main roles include making decisions on:

- Government policy
- Proposals that impact Government finances
- Proposals that affect our constitution
- New laws
- International treaties

Cabinet Committees

Within Cabinet, Ministers are also part of Cabinet Committees. These Committees complete more in-depth investigations of issues than is possible at a Cabinet level. In the 54th Government there are 9 Cabinet Committees. However, additional Cabinet Committees can be established for particular issues such as during covid.

The structure of each Cabinet Committee is decided by the Prime Minister in consultation with any coalition party leaders. The Cabinet Manual provides further depth into the role of Cabinet.